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*Proposed Lead Counsel and Counsel for Plaintiff
State-Boston Retirement System and Norfolk County
Retirement System*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOSEPH LEONE, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

S. TREZEVANT MOORE, JR.,
CHRISTOPHER J. ZYDA, ELEANOR
CORNFELD MELTON, RONALD VIERA,
DIMITRIOS PAPTAEHOGHARIS, and
LUMINENT MORTGAGE CAPITAL,
INC.,

Defendants.

Civil Action No.: 3:07-CV-04073-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

(Additional Captions on the Following Page)

**[PROPOSED] ORDER FOR CONSOLIDATION, APPOINTMENT OF STATE-BOSTON
RETIREMENT SYSTEM AND NORFOLK COUNTY RETIREMENT SYSTEM AS
LEAD PLAINTIFF, AND APPROVAL OF SELECTION OF LEAD COUNSEL**

3:07-cv-04073-PJH

**[PROPOSED] ORDER FOR CONSOLIDATION, APPOINTMENT OF STATE-BOSTON RETIREMENT SYSTEM AND NORFOLK
COUNTY RETIREMENT SYSTEM AS LEAD PLAINTIFF, AND APPROVAL OF SELECTION OF LEAD COUNSEL**

ROSENBAUM CAPITAL LLC,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., GAIL P. SENECA, SEWELL
TREZEVANT MOORE, JR., and
CHRISTOPHER ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04096-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

HOWARD J. KAPLOWITZ IRA,
Individually and On Behalf of All Others
Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., S. TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04140-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

ELLIOT GREENBERG, Individually and
On Behalf of All Others Similarly Situated,

Plaintiff,

vs.

LUMINENT MORTGAGE CAPITAL,
INC., GAIL P. SENECA, SEWELL
TREZEVANT MOORE, JR., and
CHRISTOPHER J. ZYDA,

Defendants.

Civil Action No.: 3:07-CV-04141-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

1 PEM RESOURCES LP, Individually and On
2 Behalf of All Others Similarly Situated,

3 Plaintiff,

4 vs.

5 LUMINENT MORTGAGE CAPITAL,
6 INC., GAIL P. SENECA, SEWELL
7 TREZEVANT MOORE, JR., and
8 CHRISTOPHER J. ZYDA

9 Defendants.

Civil Action No.: 3:07-CV-04184-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

10 ALLEN M. METZGER, Individually and
11 On Behalf of All Others Similarly Situated,

12 Plaintiff,

13 vs.

14 LUMINENT MORTGAGE CAPITAL,
15 INC., GAIL P. SENECA, SEWELL
16 TREZEVANT MOORE, JR., and
17 CHRISTOPHER J. ZYDA

18 Defendants.

Civil Action No.: 3:07-CV-04686-PJH

CLASS ACTION

Honorable Phyllis J. Hamilton

Hearing

Date: Nov. 14, 2007

Time: 9:00 a.m.

Courtroom: 3

1 Having considered the motion of State-Boston Retirement System and Norfolk County
 2 Retirement System ("Boston and Norfolk") for consolidation of the related actions, to be
 3 appointed Lead Plaintiff, and for approval of Lead Plaintiff's selection of Lead Counsel, the
 4 Memorandum of Points and Authorities in support thereof, the Declaration of Alan I. Ellman in
 5 support of that motion, and good cause appearing therefore,

6 IT IS HEREBY ORDERED THAT:

- 7 1. The motion of Boston and Norfolk is granted.
- 8 2. The above-captioned actions are consolidated for all purposes (the "Consolidated
 9 Action"). This Order (the "Order") shall apply to the Consolidated Action and to each case that
 10 relates to the same subject matter that is subsequently filed in this Court or is transferred to this
 11 Court and is consolidated with the Consolidated Action.
- 12 3. A Master File is established for this proceeding. The Master File shall be Civil
 13 Action No. 3:07-cv-04073-PJH. The Clerk shall file all pleadings in the Master File and note
 14 such filings on the Master Docket.
- 15 4. An original of this Order shall be filed by the Clerk in the Master File.
- 16 5. The Clerk shall mail a copy of this Order to counsel of record in the Action.
- 17 6. Every pleading in the Consolidated Action shall have the following caption:

18
 19 IN RE LUMINENT MORTGAGE
 20 CAPITAL, INC. SECURITIES
 LITIGATION

} Civil Action No. 3:07-CV-04073-PJH
 }
 }

21
 22 7. The Court requests the assistance of counsel in calling to the attention of the Clerk
 23 of this Court the filing or transfer of any case that might properly be consolidated as part of the
 24 Consolidated Action.

25 8. When a case that arises out of the same subject matter of the Consolidated Action
 26 is hereinafter filed in this Court or transferred from another Court, the Clerk of this Court shall:

- 27 (a) File a copy of this Order in the separate file for such action;

1 (b) Mail a copy of this Order to the attorneys for the plaintiff(s) in the newly
2 filed or transferred case and to any new defendant(s) in the newly-filed case; and

3 (c) Make the appropriate entry in the Master Docket for the Consolidated
4 Action.

5 9. Each new case that arises out of the subject matter of the Consolidated Action
6 which is filed in this Court or transferred to this Court, shall be consolidated with the
7 Consolidated Action, and this Order shall apply thereto, unless a party objects to consolidation,
8 as provided for herein, or any provision of this Order, within ten (10) days after the date upon
9 which a copy of this Order is served on counsel for such party, by filing an application for relief,
10 and this Court deems it appropriate to grant such application. Nothing in the forgoing shall be
11 construed as a waiver of the defendants' right to object to consolidation of any subsequently filed
12 or transferred related action.

13 10. Boston and Norfolk are appointed to serve as Lead Plaintiff in the above-
14 captioned Consolidated Action pursuant to 15 U.S.C. § 78u-4(a)(3)(B).

15 11. The law firm of Labaton Sucharow LLP is hereby approved as Lead Counsel for
16 the Class. Lead Counsel shall have the authority to speak for all plaintiffs and class members in
17 all matters regarding the litigation including, but not limited to, pre-trial proceedings, motion
18 practice, trial and settlement.

19
20 IT IS SO ORDERED.

21 This ____ day of _____, 2007
22

23
24 _____
United States District Judge
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